

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6410 of 2019**

- Devendra Singh @ Somu Singh S/o Balwinder Singh Aged About 19 Years R/o H.S.D.P. Colony Bambay Awas, Police Station Urla, Durg, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Officer In Charge, Police Station Mohan Nagar District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ashutosh Mishra, Advocate.
For Respondent/State	:	Mr. Anurag Verma, PL
For Objector	:	Mr. Vijay Kumar Sahu, Advocate.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 187/2019 registered at Police Station – Mohan Nagar, District Raigarh (C.G.) for the offence punishable under Sections 450, 354, 376 of IPC and Sections 5 & 6 of Protection of Children from Sexual Offences Act.
- The prosecution story in brief is that, applicant and prosecutrix had love affairs for last 3 years. On 22.05.2019, applicant went to roof of the prosecutrix' house and outraged her modesty. It has been further alleged that on 24.05.2019 the applicant again committed rape with her. Thereafter, offence has been registered against the applicant and he was arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. There

was love relation between applicant and prosecutrix. He further submits that the age of the prosecutrix is about 16 years 1 month and the applicant is in jail since 25.05.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, age of the prosecutrix and further considering the detention period of the applicant, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge